PTO/SB/21 (modified) Approved for use through xx/xx/xx, OMB 0651-0031 Patent and Trademark Office: J.S. DEPARTMENT OF COMMERCE U.S. Department of Commerce Application Number Patent and Trademark Office Filing Date February 1, 2001 TRANSMITTAL FORM First Named Inventor Beerud D. Sheth (to be used for all correspondence during pendency of Group Art Unit Number 3624 filed application) **Examiner Name** Vincent A. Millin Attorney Docket Number Total Number of Pages in This Submission 21673-05635 **ENCLOSURES** (check all that apply) Fee Transmittal Form (in duplicate) Issue Fee Transmittal Check Enclosed Letter to Chief Draftsperson Return Receipt Postcard Formal Drawing(s): Response to Notice to File Missing Parts [ ] Sheet(s) of Figure(s) [ ] Appeal Communication to Board of Appeals and Assignment & Recordation Cover Sheet Interferences Declaration Appeal Communication to Group Power of Attorney (Appeal Notice, Brief, Reply Brief) **Application Data Sheet** Certified Copy of Priority Document(s) 3rd Supplemental Information Disclosure Statement & PTO/SB/08A Copies of IDS Cited References After Allowance Communication to Group Request for Corrected Filing Receipt Request for Correction of Recorded Assignment Amendment/Response: [ ] Page(s) RECEIVED After Final Status Request OCT\_2 8 2003 Revocation and Substitute Power of Attorney

## OTPECTS OCT 2 4 2003

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Beerud D. Sheth

APPLICATION NO.:

09/775,517

FILING DATE:

February 1, 2001

TITLE:

Method and System for an On-Line Private Marketplace

**EXAMINER:** 

Vincent A. Millin

**GROUP ART UNIT:** 

3624

ATTY. DKT. NO.:

21673-05635

## **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: October 21, 2003

By: <u>Laura / / (2)</u>
Laura A. Majerus, Reg. **20**. 33,417

RECEIVED

OCT 2 8 2003

COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

**GROUP 3600** 

## 3rd SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this 3<sup>rd</sup> Supplemental Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This 3rd Supplemental Information Disclosure Statement is being filed:

$\boxtimes$	within thr	ee months of the filing date of the application, or date of entry					
	into the na	ational stage of an international application, or before the mailing					
	date of a first office action on the merits, whichever event last occurred;						
before the mailing of a first official action after the filing of a re-							
	continued	examination (RCE) under 37 CFR § 1.114;					
	after three	months of the filing date of this national application or the date					
	of entry of the national stage in an international application, or after the						
	mailing date of the first official action on the merits, whichever event last						
	occurred,	but before the mailing date of the first to occur of either: (1) a					
	final actio	final action under 37 CFR §1.113; or (2) an action that otherwise closes					
	prosecutio	on in the application, and:					
	☐ at	tached hereto is the fee set forth under 37 CFR §1.17(p) for					
	SI	ubmission of this Information Disclosure Statement under 37					
	C	FR.§ 1.97(c); OR					
	□ A	pplicant certifies pursuant to 37 CFR § 1.97(e) that:					
		each item of information contained in this Information					
		Disclosure Statement was first cited in a communication					
		from a foreign patent office in a counterpart foreign					
		application not more than three months prior to the filing of					
		this Statement; OR					
		no item of information contained in this Information					
		Disclosure Statement was cited in a communication from a					
		foreign patent office in a counterpart foreign application					
		and, to the knowledge of the person signing this					
		certification after making reasonable inquiry, no item of					
		information contained in this Statement was known to any					
		individual designated under 37 CFR § 1.56(c) more than					
		three months prior to the filing of this Statement;					
	on or before the payment of the issue fee but after the mailing date of the						
	first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a						
	notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise						
	closes pr	osecution in the application, and:					
	□ A	pplicant certifies pursuant to 37 CFR. § 1.97(e) that:					

				each item of information contained in this Information			
				Disclosure Statement was cited in a communication from a			
				foreign patent office in a counterpart foreign application no			
				more than three months prior to the filing of this Statement;			
				or			
				no item of information contained in this Information			
				Disclosure Statement was cited in a communication from a			
				foreign patent office in a counterpart foreign application			
				and, to the knowledge of the person signing this			
				certification after making reasonable inquiry, no item of			
				information contained in this Statement was known to any			
		•		individual designated under 37 CFR § 1.56(c) more than			
				three months prior to the filing of this Statement; AND			
			attach	ed hereto is the fee set forth under 37 CFR §1.17(p) for			
			submi	ssion of this Information Disclosure Statement under 37			
			CFR.§	1.97(c); OR			
		after t	he payn	nent of the issue fee. Applicant requests that the information			
		contai	ined in t	his Information Disclosure Statement be placed in the file			
		accord	ding to 3	37 CFR § 1.97(i), although the information may not be			
		consid	dered by	the USPTO.			
	This a	applicati	ion relie	s, under 35 U.S.C. § 120, on the earlier filing date of prior			
	application No.[APPLICATION NUMBER], filed on [FILING DATE], and the						
	references cited therein are hereby referenced, but are not required to be provided						
	in this	s applica	ation un	der 37 CFR § 1.98(d).			
	Each	item of	informa	tion contained in this Information Disclosure Statement was			
	cited in a communication from a foreign patent office in a counterpart application						
	and the communication was not received by any individual designated in 37 CFR						
	§ 1.56	o(c) mor	e than t	hirty days prior to the filing of this Information Disclosure			
	Stater	ment. 3'	7 CFR §	1.704(d).			
$\boxtimes$				at no fee is required for the consideration of this 3rd			
	Suppl	lemental	l Inform	ation Disclosure Statement.			

Consideration of the listed references and favorable action are solicited.

Respectfully submitted, BEERUD D. SHETH

Dated: October 2), 2003

Laura A. Majerus, Reg. No. 23,417

Fenwick & West LLP Silicon Valley Center 801 California Street

Mountain View, CA 94041

Tel.: (650) 335-7152 Fax: (650) 938-5200

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

RADENT	Substitute for fo	orm 1449A/F	PTO	Complete if Known			
INEO	RMATION	ו שופר	LOSUDE	Application No.	09/775,517		
				Filing Date	February 1, 2001		
STATEMENT BY APPLICANT				First Named Inventor	Beerud D. Sheth		
				Art Unit	3624		
				Examiner Name	Vincent A. Millin		
Sheet	1 1	of	1	Attorney Docket Number	21673-05635		

U.S. PATENT DOCUMENTS					
		Document No.			
Examiner Initials*	Cite No. <sup>1</sup> ,	Number – Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	
			·		
			,	RECEIVED	
				OCT 2 8 2003	
				GROUP 3500	

FOREIGN PATENT DOCUMENTS						
		Foreign Patent Document				
Examiner Initials*	Cite No.1	Country Code <sup>3</sup> – Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>	
				M. Albertan Control		

Examiner Initials*				
		MALONE, THOMAS W. et al., "The Dawn of the E-Lance Economy," Harvard Business Review, September-October 1998, pp. 145-152.		
	_			

Examiner	Date	
Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁴Applicant is to place a check mark here if English language Translation is attached.